

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

In re:

**RYAN COLE and SARAH COLE,

Debtors.**

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**Case No. 24-40647
Chapter 7**

**ORDER ON THE MOTION AND BRIEF FOR ORDER TERMINATING THE
AUTOMATIC STAY OF WAZU CAPITAL PARTNERS, INC. AND
MT MEDICAL PROPERTIES, LLC [D.E. 31]**

On July 2, 2024, there came on to be heard the *Motion and Brief For Order Terminating the Automatic Stay* (the “Motion”)¹ filed by the Movants wherein the Movants requested that the automatic stay be lifted under § 362(d)(1) to enable the State Court Action to proceed unimpaired and unimpeded by this Bankruptcy Case with Ryan having been nonsuited from the State Court Action, all as is more particularly described in the Motion. After consideration of the pleadings on file, the evidence introduced, the argument of counsel and for the reasons stated on the record, this Court finds that it has jurisdiction over this Bankruptcy Case under 28 U.S.C. § 1334, this is a core proceeding under 28 U.S.C. § 157(b)(2), venue is appropriate in this Court in this district under 28 U.S.C. §§ 1408 and 1409, service of the Motion was appropriate and no further notice is necessary, and good cause exists to grant and deny the Motion as set forth herein.

Therefore, it is **ORDERED** that:

1. The Motion is granted and denied as set forth herein.

¹ All of the capitalized terms contained in this Order shall have the meanings ascribed to them in the Motion, unless otherwise indicated.

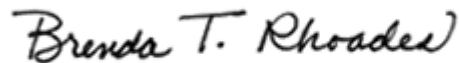
2. If, on July 9, 2024, this Court denies the Movants' *Motion For Extension of Time to File Adversary Complaint to Determine the Dischargeability of Debt* [D.E. 39] (the "Extension Motion"), the Motion is granted, the automatic stay is terminated and the Movants are entitled to litigate the State Court Action without any limitations from this Bankruptcy Case including, without limitation, taking discovery from Ryan.

3. If, on July 9, 2024, this Court grants the Extension Motion, but the Movants do not file an adversary proceeding against Ryan under §§ 523 and/or 727 by 12 p.m. on July 18, 2024, the Motion is granted, the automatic stay is terminated and the Movants are entitled to litigate the State Court Action without any limitations from this Bankruptcy Case including, without limitation, taking discovery from Ryan.

4. If, on July 9, 2024, this Court grants the Extension Motion, and the Movants do file an adversary proceeding against Ryan under §§ 523 and/or 727 by 12 p.m. on July 18, 2024, the Motion is denied, the automatic stay is not terminated and the Movants are not permitted to litigate the State Court Action without a further Order from this Court.

5. Any objections to the Motion not dealt with by this Order are overruled and denied.

Signed on 07/12/2024



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HONORABLE BRENDA T. RHOADES,
CHIEF UNITED STATES BANKRUPTCY JUDGE